

# YOUTH SERVICES POLICY

<b>Title:</b> Separation for Unscheduled Absences <b>Next Annual Review Date:</b> 05/26/2010	<b>Type:</b> A. Administrative <b>Sub Type:</b> 2. Personnel <b>Number:</b> A.2.37
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<b>References:</b> Civil Service Rule 12.6 (a) 2., YS Policies A.2.1 "Employee Manual", A.2.6, "Requirement of Physician's Certification of Sick Leave Usage", and A.2.47 "Equal Employment Opportunity"	
<b>STATUS:</b> Approved	
<b>Approved By:</b> Mary L. Livers, Deputy Secretary	<b>Date of Approval:</b> 05/26/2009

## I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405 and Civil Service Rule No. 12.6 (a) 2. Deviation from this policy must be approved by the Deputy Secretary.

## II. PURPOSE:

The purpose of this policy is to establish a formal policy to encourage responsible leave usage and to adopt uniform procedures for non-disciplinary removal in the event of excessive employee unscheduled absences.

## III. APPLICABILITY:

All employees of Youth Services (YS). It is the responsibility of each Unit Head to ensure that written procedures are in place for the proper management and administration of this policy, so that the provisions of the policy can be implemented when unscheduled absences become a problem for the operation of that Unit.

## IV. DEFINITIONS:

**Appointing Authority** - Deputy Secretary.

**Minimum Period of Absence** - A period of leave of no less than fifteen (15) consecutive minutes that may be designated as an unapproved absence.

**Unit Head** - Deputy Secretary, Facility Directors and Regional Managers.

**Unscheduled Absence** - Absence from work for which the employee did not obtain verbal or written approval by close of business on the employee's last regular workday prior to being absent.

**Workday** - Any day an employee is scheduled to work.

**YS Central Office** - Offices of the Deputy Secretary, Undersecretary, Deputy Undersecretary, Assistant Secretary, Chief of Operations, Deputy Assistant Secretaries and their support staff .

## V. POLICY:

It is the policy of Youth Services that employees make every effort to secure leave in advance. If a supervisor experiences problems with excessive unscheduled employee absences, the supervisor may invoke the provisions of this policy.

This policy is in conformity with Civil Service Rule 12.6 (a) 2, "Non-disciplinary Removals", which states:

"12.6 Non-disciplinary Removals"

- (a) An employee may be non-disciplinarily removed under the following circumstances:
  - 2. When, after the employee has been given written notice that his attendance requires improvement and copy of this rule, an employee has seven or more unscheduled absences during any consecutive twenty-six week period. The employee shall also be given written notice each time he incurs a sixth unscheduled absence during a consecutive twenty-six week period. An unscheduled absence occurs when an employee is absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.
- (b) When an employee is removed under this Rule, the adverse consequences of Rules 6.5 (c); 22.4 (d); 23.16 (a) 4; 23.13(b); 11.18 (b) and 17.25 (e) 4 shall not apply.

This policy shall be enforced consistently and fairly throughout YS. No action shall be taken against an employee under this policy unless sufficient supporting documentation was maintained by the employee's supervisor.

**VI. PROCEDURES:**

**In order to use this procedure and method of non-disciplinary removal, the following conditions must exist:**

- A. Absence from work for which the employee did not obtain verbal or written approval by close of business on the employee's last regular workday prior to being absent shall be considered an unscheduled absence. The supervisor responsible for reviewing the request for leave is to clearly mark the Application for Leave (SF6) "Unscheduled" on the top of the form and have the employee place his initials and the date next to the word "unscheduled".
  - 1. Approval of leave after the fact, to cover an unscheduled absence, shall not prevent the absence from being unscheduled.
  - 2. One unscheduled absence may be any increment of a workday for which leave must be obtained, one entire workday, or a continuous period of absence for the same reason, regardless of its duration.
- B. Each supervisor shall document and maintain a history of unscheduled absences, which shall include the employee's name, date of the absence, type of leave charged and date the employee was advised that the absence was considered unscheduled (the same date as the date the employee initialed and dated the "unscheduled" on the leave slip).
- C. When a supervisor has documented that an employee's attendance requires improvement, or when an employee has accumulated three unscheduled absences within a two month period, the supervisor shall give him written notice that his attendance requires improvement and a copy of Civil Service Rule 12.6 (a) 2. See Attachment A.2.37 (a) "Written Notice that Attendance Needs Improvement", which includes a copy of CS Rule 12.6.
- D. When an employee has accumulated six unscheduled absences in less than a 26-week period after receiving "Written Notice that Attendance Needs Improvement" [Attachment A.2.37 (a)], the employee shall be given "Written Notice of Six Unscheduled Absences" [Attachment A.2.37 (b)].
- E. When an employee accumulates more than seven (7) unscheduled absences during any consecutive 26-week period after he has been given the "Written Notice that Attendance Needs Improvement" [Attachment A.2.37 (a)], he may be removed from employment under the terms of Civil

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Service Rule 12.6. Length and caliber of service, as well as the nature of the unscheduled absence (legitimate emergency, chronic illness, act of God, etc.) may be considered when making the decision regarding removal.

- F. When an employee for whom this policy has been invoked attains an attendance record of twenty-six weeks without an unscheduled absence, he shall no longer be "under the rule" of unscheduled absences. After that time, should his attendance need improving or he meets the requirements of VI. C. above, in order for this rule to be invoked again, he must be given written notice A.2.37 (a) again, and all of the requirements thereafter must be fulfilled before non-disciplinary separation under this rule can occur.

## **VII. EXCEPTIONS:**

- A. Leave that is approved under the provisions of YS Policies A.2.5 "Family and Medical Leave of Absence" and A.2.47 "Equal Employee Opportunity" will not count as an unscheduled absence.
- B. The Deputy Secretary may grant exceptions to this policy when to do so is in the best interest of the agency.

**Previous Regulation/Policy Number:** A.2.37

**Previous Effective Date:** 02/07/2007

**Attachments/References:**



A 2 37 (a) Written Notice that Attendance Needs Improvement May 2009.doc



A 2 37 (b) Written Notice of Six Unscheduled Absences May 2009.doc